

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department – Allegations of irregularities in execution of works and misappropriation of advances against Sri S.A. Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.) formerly MEO, MP, Yellandu, Khammam District – Final orders issued - Modified orders issued as per Court orders.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 1983 .

Dated:03.12.2013.

Read the following:-

1. G.O.Rt.No.1846, PR&RD (Vig.IA) Dept., dt. 14.12.2011.
2. Order dt. 28.10.2013 in C.M.A.No.271/2011 in C.A.No.1488/2011 in O.A.No.4701/2010 filed by Sri S.A. Waheeduddin, A.E., PR (Retd.).
3. Govt. Memo No.223/Vig.IA/2001-33, PR&RD (Vig.IA) Dept., dt. 21.11.2013.
4. From the Govt. Pleader for Services-II, High Court of A.P. Lr.W.P.No. 33704/2013/SS/Ser.II/HC, dt.25.11.2013.

ORDER:

In the G.O. first read above, orders were issued dropping further action against Sri S.A. Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.), duly withholding an amount equal to the loss caused to the Government from the terminal benefits of the individual, on the allegations of irregularities in fraudulent measurements and misappropriation of advances, in execution of certain works under JRY & EAS programmes in Singareni Mandal and Yellandu Mandal of Khammam district., as reported by the Engineer-in-Chief, Panchayat Raj, as per the provisions of sub-rule 7 of Rule 9 of A.P. Revised Pension Rules, 1980 issued in G.O.Ms.No.995, Finance (Pension-I) Dept., dt. 21.12.2002, keeping in view the orders of Hon'ble A.P.A.T. dt. 20.01.2011 in O.A.No.4701/2010 filed by Sri S.A.Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.).

2. Sri S.A. Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.) has filed C.M.A.No.271/2011 in C.A.No.1488/2011 in the said O.A.No.4701/2010 to reopen the Contempt Application as the implementation orders are not in accordance with the Judgement in O.A. In the reference 2nd read above, the Hon'ble A.P.A.T., while allowing the C.M.A., in its order dt. 28.10.2013 in C.M.A.No.271/2011 in C.A.No.1488/2011 in the said O.A.No.4701/2010, has observed that in G.O.Rt.No.1846, dt. 14.12.2011, the respondents have tried to recover loss caused to the Government which was the subject matter of charge set aside by the Tribunal in O.A.No.4701/2010, dt.20.01.2011 and directed the respondents to implement the order of the Tribunal in O.A.No.4701/2010.

3. In the reference 3rd read above, a Writ Petition No.33704/2013 has been filed before the Hon'ble High Court of A.P. challenging the orders dt. 20.01.2011 of the A.P. Administrative Tribunal in O.A.No.4701/2010 in C.M.A.No. 271/2011 in C.A.No.1488/2011, dt. 28.10.2013. The Hon'ble High Court had taken up the Writ Petition No.33704/2013 for hearing on 25.11.2013 and having heard the matter at length, the Hon'ble High Court has refused to interfere with the impugned orders of the Hon'ble Tribunal and expressed an opinion that the portion of the orders passed in G.O.Rt.No.1846, dt. 14.12.2011, under which it was proposed to withhold an amount equal to the loss caused to the Government, from the terminal benefits of Sri S.A. Waheeduddin, were clearly in Contempt of the orders of the Hon'ble Tribunal in O.A.No.4701/2011, dt. 20.01.2011.

4. Government, after careful examination of the entire matter, hereby withdraw the following portion of the recovery part in respect of Sri S.A. Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.) issued in G.O.Rt.No.1846, PR&RD (Vig.IA) Dept., dt. 14.12.2011.

"withholding an amount equal to the loss caused to the Government, in this case, from the terminal benefits of the individual, as reported by the Engineer-in-Chief, Panchayat Raj, Hyderabad, as per sub-rule 7 of Rule 9 of A.P. Revised Pension Rules, 1980 issued in G.O.Ms.No.995, Finance (Pension-I) Dept., dt. 21.12.2002".

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5. This order issues with the concurrence of Finance Dept. vide their U.O.No.1385/401/A1/Pension.I/2013, dt. 27.11.2013.
6. The Engineer-in-Chief, Panchayat Raj, Hyderabad shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri S.A.Waheeduddin, Asst. Engineer, Panchayat Raj (Retd.) through
the Engineer-in-Chief, Panchayat Raj, Hyderabad.
The Engineer-in-Chief, Panchayat Raj, Hyderabad.
Copy to:
The Secretary to VC, APVC, Hyderabad.
The Accountant General, A.P., Hyderabad.
The PR&RD (Estt.II) Dept.
The Government Pleader for PR&RD, A.P.A.T., Hyderabad.
(w.r.t. C.M.A.No.271/2011 in C.A.No.1488/2011 in O.A.No.4701/2010)
The Government Pleader for Services-II, High Court of A.P., Hyderabad.
(w.r.t W.P.No. 33704/2013)
The Finance (Pension-I) Dept.
P.S. to Spl.Secretary to C.M.
SF/SC.

//FORWARDED: BY ORDER//

SECTION OFFICER